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EXPRESS MAIL NO. ER539705248US



Attorney's Docket No: cardiobeat-1
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of
George McBride, et al
Filed: 03/27/2000
Title: Medical Testing System and Method
Serial No.: 09/535,186

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EXAMINER: PAUL L. KIM
Art Unit 2857

MS Amendment
Assistant Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

AMENDMENT

This is in response to the Office action dated December 24, 2003. A petition extending the time for response by two month is filed herewith.

REMARKS

Claims 1 and 4 through 20 are in the application.

Claims 2 and 3 were previously cancelled.

Claims 1, 4- 10, and 18-20 stand rejected under 35 U.S.C. 103(a) as anticipated by the Brown (US 5,307, 263) in view of Brown (5,879,163).

Claims 11-17 stand rejected under 35 U.S.C. 103(a) as unpatentable over Brown 263 in view of Halpern et al patent.

Claim 1 recites: providing test sensors for a subject; coupling said test sensors to said subject; coupling said test sensors to apparatus having access to the Internet; operating said apparatus to automatically obtain test measurement data from said test sensors; and uploading said test measurement data via the Internet to a location remote from said subject.

The Examiner points to Brown '263 as showing a test sensor and coupling the test sensor to a subject. In support of this contention, the examiner points to blood glucose monitor 16 and to sensors 74. However, sensors 74 are not "test sensors".